

Remarks

This Amendment is in response to the Final Office Action dated March 15, 2006 and is due on or before June 15, 2006.

In the Office Action, Claim 1 was objected to and Claim 8 was rejected under 35 USC Section 112; applicant has made a good-faith effort to correct these matters.

With regard to the prior art, Claims 3, 6, 7 and 10 were rejected as anticipated by Becker USP 6593735 and supported by Hock et al (Hock) USP 5458366. Claims 3, 6, 7 and 10 were again rejected as being obvious, over Hock in view of Cooper USP 6494284. Claims 3, 4, 6, 7 and 10 were rejected as obvious over Hock in view of Knox USP 6918458. Finally, Claim 8 was rejected as obvious over Hock in view of Knox and further in view of Thomas et al (Thomas) USP 6520537.

In regard to the rejection under 102(e) by Becker and supported by Hock, applicant questions the form of this rejection and further its substance. An "anticipation rejection" is usually lodged when one reference shows each and every claim limitation. The form of the rejection as being - anticipated by Becker and supported by Hock - is not known to the applicant. If this rejection was meant to be a §102 rejection, applicant has treated Becker as the primary and only reference. It is respectfully urged that Becker does not show each and every element of the rejected claims. Becker does not teach the cooperative use of two dissimilar occupant protection systems (one a seat belt system and the other a knee protection system) nor does Becker teach how one of the systems, the knee bolster, is deactivated when the seat belt buckle is in a locked condition. Becker rather teaches an apparatus with a spring-loaded cover (not an inflatable knee bolster). The Becker apparatus further includes a magnetic sensor that is closed when a load pushes the cover inwardly. Further, see column 6, lines 46-53, here Becker teaches that when his switch is closed any number of the inflatable devices are actuated to protect the occupant. The operation of Becker is opposite to that of the present invention, which prevents the activation of the inflatable knee bolster when the seat belt buckle is operatively locked (practically this happens when a tongue is lockingly received by the buckle) and a signal indicative of this condition is provided. In

Becker, when his magnetic switch closes the various inflatable devices are activated (the opposite of the present invention). Reconsideration of the rejected claims is respectfully urged, as Becker does not teach the present invention.

In the rejection of Claims 3, 6, 7 and 10 over Hock in view of Cooper, the Hock patent was used to show an inflatable deployable knee bolster. Cooper, on the other hand, is cited to show a first occupant protection system having sensor 90 that indicates seat belt use. Further, Cooper is also cited to show a sensing system that expressly teaches generation of "a deactivation signal on the latching of the seat belt tongue within the buckle (inherent in seat belt buckle sensors)." It is respectfully urged that this is not the case. It is acknowledged Cooper in column 8, lines 40-45, suggests the use of a plurality of sensors and that these sensors can be used to make a determination of modifications that could be made to the actuation of the occupant protection device(s) (e.g., activation suppression, tailoring of the deployment profile, timing, etc.) However, there is no teaching in Cooper or in Hock, taken together or individually, that teaches deactivation of an inflatable knee bolster system upon receipt of this signal indicating that a seat belt tongue is operatively locked.

With regard to the rejection of the claims over Hock in view of Knox, reconsideration is also requested. Hock again is used to show an inflatable knee bolster with Knox providing a first occupant protection system, a second occupant protection system, a sensing system and deactivation signal means able to deactivate the knee bolster (with reference made to Knox's figure 4 and his columns 4-5). Knox clearly does not show a knee bolster that can be deactivated. Knox first determines if the occupant to be protected is an unbuckled adult/child (an occupant less than 30kg). If this is the case Knox's air bag is disabled. Please note that this teaching by Knox runs counter to the present invention, which states that if the seat belt is buckled the knee bolster is deactivated. Returning now to Knox, if Knox's first test is not satisfied, then Knox determines if the seat belt is unbuckled, and then if the occupant is greater than the 30 kg. If this is the case, that is the occupant's weight is greater than 30kg, Knox's air bag is enabled (which is opposite to the

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teachings of the present invention) and reconsideration of rejections is respectfully urged.

I am open to discussing any of the rejections and the prior art and hope the Examiner does call to discuss these.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Markell Seitzman". The signature is fluid and cursive, with the first name "Markell" being more prominent and the last name "Seitzman" following in a similar style.

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